

Message Text

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ACTION SCS-06

INFO OCT-01 AF-10 ISO-00 EB-08 COME-00 TRSE-00 L-03
CG-00 DOTE-00 FMC-02 JUSE-00 DODE-00 CA-01 INRE-00
CIAE-00 INR-10 NSAE-00 SSO-00 /041 W
-----106922 211436Z /46

O R 211330Z FEB 78
FM AMEMBASSY BRAZZAVILLE
TO SECSTATE WASHDC NIACI IMMEDIATE 0235
INFO AMEMBASSY KINSHASA

UNCLAS BRAZZAVILLE 0178

DEPT ALSO FOR AF/C KATZEN

E.O. 11652: N/A
TAGS: CGEN
SUBJECT: REPORT OF U.S. FLAG VESSEL COLLISION

SUMMARY: AMERICAN FLAG VESSEL BEING HELD POINTE-NOIRE FOLLOWING
COLLISION PENDING PAYMENT OF DEPOSIT OF CFA 120,000,000.

1. DELTA LINES OWNED VESSEL DEL SOL, CAPTAINED BY J. L. CONNER,
INVOLVED IN COLLISION NIGHT 18 FEB WITH TUG SOUNDA BELONGING TO
AGENCE TRANSCONGOLAISE DES COMMUNICATIONS (A.T.C., WHICH IS A STATE
ENTERPRISE) WHILE SAILING FROM POINTE NOIRE HARBOR. TUG SANK;
DEL SOL SUSTAINED HULL SCRATCHES AND DAMAGE TO TIPS OF PROPELLERS.
NO LIVES LOST AND NO INJURIES.

2. FOLLOWING ACCIDENT DEL SOL RETURNED TO PORT ON CAPTAIN'S ORDERS
TO DETERMINE EXTENT OF DAMAGE TO VESSELS. ONCE IN PORT CAPTAIN
INFORMED BY HARBOR MASTER VESSEL NOT TO SAIL AND SUBSEQUENTLY
CAPTAIN ADVISED THAT FRANCS CFA 120,000,000 (ONE HUNDRED TWENTY
MILLION) CASH MUST BE DEPOSITED TO LE TRESORIER PAYEUR GENERAL EN
REPUBLIQUE POPULAIRE DU CONGO PRIOR TO VESSEL'S RELEASE.

3. CAPTAIN CONNER INFORMED EMBASSY 21 FEB AND REQUESTED ASSIST-
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ANCE TO EXPEDITE SHIP'S DEPARTURE.

4. EMBASSY IMMEDIATELY CONTACTED M. JEAN FERAUD, DIRECTEUR
TECHNIQUE DU PORT DE POINTE NOIRE, ATC, WHO WROTE LETTER REQUEST-
ING DEPOSIT. EMBASSY ADVISED THAT AS RESULT OF PAST BAD
EXPERIENCE, ATC WOULD NOT ACCEPT LETTER OF GUARANTEE FROM DELTA
LINES OR THEIR UNDERWRITERS. THEY REQUIRE THAT DEPOSIT BE

CASH OR BE GUARANTEED BY EMBASSY.

5. ACTION REQUESTED: DELTA LINES BE INFORMED ASAP THAT THEY WILL NEED MAKE IMMEDIATE BANK TRANSFER FOR DEPOSIT TO EXPEDITE SAILING OF VESSEL. ATC SUGGESTS DELTA LINES AGENT DELMAS VIELJEUX IN PARIS BE INTERMEDIARY TO FACILITATE AND EXPEDITE. DELTA LINES SHOULD MAKE BANK TRANSFER TO PARIS BANK OF DELMAS WHICH WILL TRANSFER MONIES TO CORRESPONDENT BANK POINTE NOIRE WHICH WILL MAKE DEPOSIT. M. FERAUD OF ATC HAS AGREED THAT SHIP WILL BE RELEASED UPON NOTIFICATION TO POINTE NOIRE BANK THAT TRANSFER IS IN PROGRESS AND THAT SHIP WILL NOT HAVE TO WAIT UNTIL MONEY IN HAND AND FORMALLY DEPOSITED AS PER PARA TWO.

6. IS THERE ANY MECHANISM BY WHICH EMBASSY CAN ACT AS GUARANTOR AS THIS WOULD SPEED RELEASE OF VESSEL?

7. 7 FAM 566 AND FOLLOWING NOT STRICTLY APPLICABLE IN THIS CASE AS VESSEL CLEARLY IN RECOGNIZED TERRITORIAL WATERS HAVING BEEN IN HARBOR AREA AT TIME OF INCIDENT. WILL IT BE NECESSARY TO TAKE AFFIDAVITS IN THIS CASE? HAVE REQUESTED TDY ASSISTANCE FROM KINSHASA TO FILL IN FOR CHARGE SO HE MAY GO TO POINTE NOIRE IF NECESSARY TO OBTAIN AFFIDAVITS. KINSHASA ATTEMPTING EFFECT SOONEST ARRIVAL TDY HELP.

8. PLS ADVISE SOONEST SO POST MAY INFORM CAPTAIN, WHO UNDERSTANDABLY WORRIED, WHAT ACTION BEING TAKEN TO DEPOSIT MONEY TO UNCLASSIFIED

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GAIN SHIP'S RELEASE. BAILEY

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NNN

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